



**PATENT**  
**Customer Number: 22,852**  
**Attorney Docket No. 05725.1226-00**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents, photocopies of packaging materials and use instruction sheets, and photographs listed on the attached Form PTO 1449 and the following information relating to the photocopies and photographs. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, photocopies, and photographs are attached. Applicants respectfully request that the Examiner consider the listed documents, photocopies, and photographs, as well as the following information about the

photocopies and photographs. Additionally, Applicants respectfully request that the Examiner acknowledge that consideration by making appropriate notations on the attached 1449 form.

The attached photocopies of packaging materials and use instruction sheets, and photographs relate to a hair product application arrangement, which is believed to have been sold in Japan under the name "Beautylabo." The photographs show various views of a nozzle component of the hair product application arrangement. The photocopies include photocopies of panels of the box containing the hair product application arrangement and photocopies of the use instruction sheet packaged in the box along with the hair product application arrangement. It is believed that the Beautylabo hair product application arrangement might have been on sale in Japan prior to July 17, 2002.

If the Examiner would like to view the actual hair product application arrangement, packaging, and use instructions sheet, the Examiner is invited to call the undersigned at (202) 408-4445 to schedule an interview during which the arrangement, packaging, and use instructions could be demonstrated.

With respect to the non-English language documents, Applicant submits the following remarks:

1. JP 9-66246 (A) - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
2. FR 2 769 806 - An English language translation of this documents is attached.
3. FR 2 776 629 - This document is believed to be related to U.S. Patent No. 6,000,405 submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents, photocopies, photographs, and information described herein are material or constitute "prior art." If the Examiner applies any of the documents, photocopies, photographs, and/or information as prior art against any claim in the application and Applicants determine that they do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent Office the relevant facts and law regarding the appropriate status thereof.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, photocopies, photographs, and/or information described herein should one or more of them be applied against the claims of the present application.

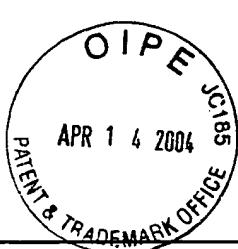
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Susanne T. Jones  
Susanne T. Jones  
Reg. No. 44,472

Date: April 14, 2004


**INFORMATION DISCLOSURE CITATION**  
**(Use several sheets if necessary)**

Atty. Docket No.	05725.1226-00000	Application No.	10/619,612
Applicant	Vincent DE LAFORCADE et al.		
Filing Date	July 16, 2003	Group:	Unassigned

**U.S. PATENT DOCUMENTS**

Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	1	1,686,981	Oct. 9, 1928	Olson			
	2	2,381,048	Aug. 7, 1945	Habostad			
	3	2,819,723	Jan. 14, 1958	Meyer			
	4	2,922,425	Jan. 26, 1960	Lerner et al.			
	5	3,101,086	Aug. 20, 1963	Di Vito			
	6	3,457,928	Jul. 29, 1969	Kurshenoff			
	7	3,477,447	Nov. 11, 1969	Eldredge			
	8	4,310,009	Jan. 12, 1982	Shipp			
	9	5,054,504	Oct. 8, 1991	Winrow			
	10	5,152,305	Oct. 6, 1992	Niv			
	11	5,311,887	May 17, 1994	Ramsey			
	12	5,555,899	Sep. 17, 1996	Foreman			
	13	5,845,651	Dec. 8, 1998	de Nervo			
	14	6,000,405	Dec. 14, 1999	De Laforcade			
	15	6,378,529	Apr. 30, 2002	Clemente Marco			
	16	6,637,440	Oct. 28, 2003	de Laforcade			

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	17	FR 2 769 806	Apr. 23, 1999	France			Yes
	18	FR 2 776 629	Oct. 1, 1999	France			No
	19	JP 60-33903 (U)	Mar. 8, 1985	Japan			No
	20	JP 9-66246 (A)	Mar. 11, 1997	Japan			Abstract
	21	JP 3-7302 (U)	Jan. 24, 1991	Japan			No
	22	WO 99/26510	Jun. 3, 1999	PCT			

**INFORMATION DISCLOSURE CITATION**  
**(Use several sheets if necessary)**

Atty. Docket No. 05725.1226-00000	Application No. 10/619,612
Applicant Vincent DE LAFORCADE et al.	
Filing Date July 16, 2003	Group: Unassigned

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

23	English language Derwent Abstract of JP 9-66246, Mar. 11, 1997.
24	Photocopies of packaging materials and use instruction sheet (5 pages) and photographs (4 photographs) of nozzle component of "Beautylabo" hair product application arrangement.
25	English language translation of FR 2,769,806.

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce